

Report Date: September 23, 2015

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

SEP 23 2015

SEAN F. MCALOY, CLERK
DEPUTY
YAKIMA, WASHINGTON

Eastern District of Washington

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Benjamin Breazile

Case Number: 0980 2:12CR00090-LRS-1

Address of Offender:

Spokane, Washington 99201

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: August 7, 2013

Original Offense: Failure to Register, 18 U.S.C. § 2250(a)

Original Sentence: Prison - 30 Months;
TSR - 36 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Matthew F. Duggan

Date Supervision Commenced: January 13, 2015

Defense Attorney: Federal Defender's Office

Date Supervision Expires: January 12, 2018

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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- | | |
|---|--|
| 1 | <u>Standard Condition # 6:</u> The defendant shall notify the probation officer at least ten days prior to any change in residence or employment. |
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Supporting Evidence: On September 18, 2015, Mr. Breazile violated his conditions of supervised release by failing to notify his probation officer of a change in employment and residence status. On September 21, 2015, the undersigned officer made contact with his employer who informed that Mr. Breazile was fired on or about September 8, 2015. Mr. Breazile made no effort to contact the undersigned officer to advise of his change in employment status.

On September 21, 2015, the landlord at Mr. Breazile's apartment complex advised that she evicted Mr. Breazile from the residence on September 18, 2015. He has failed to notify the undersigned officer of the situation and change in residence status.

- | | |
|---|--|
| 2 | <u>Special Condition # 19:</u> You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances. |
|---|--|

Supporting Evidence: Mr. Breazile violated his conditions of supervised release by using methamphetamine on or about September 18, 2015. Mr. Breazile met with the undersigned officer on September 21, 2015, and signed a drug use admission form admitting to the methamphetamine use.

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- 3 **Standard Condition #3:** The defendant should answer truthfully all inquiries by the probation officer and follow instructions of the probation officer.

Supporting Evidence: On September 21, 2015, this officer met with the offender in the probation office and he provided an address where he can reside. This officer advised him that a home inspection needed to be completed, and directed him to be at this address between 2:00 p.m. and 8:00 p.m. on September 22, 2015. On September 22, 2015, this officer made contact with Mr. Breazile by telephone at approximately 6:00 p.m. to advise this officer was en route to his residence. Mr. Breazile stated he was not home and was in the Spokane Valley with some friends. This officer advised Mr. Breazile that this behavior was unacceptable as he was directed to be home for a home inspection. Consequently, Mr. Breazile was instructed to appear in the U. S. Probation office on September 23, 2015, by 10:00 a.m.

- 4 **Special Condition #19:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On September 22, 2015, Mr. Breazile violated his conditions of supervised release by failing to appear as required and provide a urine sample.

- 5 **Special Condition #17:** You shall register as a sex offender, according to the laws of the state in which you reside, are employed, or are attending school. You shall provide verification of compliance with this requirement to the supervising officer.

Supporting Evidence: On September 23, 2015, Mr Breazile violated his conditions of supervised release by failing to register as a sex offender. Mr. Breazile was evicted from his previous residence on September 18, 2015. The undersigned officer contacted the Spokane County Sheriff's office on September 23, 2015, and was advised that Mr. Breazile has not registered a new address.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the offender to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 09/23/2015

s/Corey McCain

Corey McCain
U.S. Probation Officer

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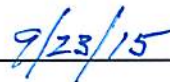
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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer



Date